IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4686 OF 2006.
IN
FIRST APPEAL NO.1767 OF 2005.

The Regional Director, E.S.I.C. ... Applicant.
Versus.
Ms.Nita Kanekar & another. ... Respondents.

Shri H.V.Mehta for the Applicant.

Ms.S.Srikrishna i/by Shri V.V.Pai for the Respondents Nos.1 and 2.

CORAM : ABHAY S.OKA, J.

DATED : 16th January, 2007.

P.C.:

1. Heard Shri Mehta for the Applicant. His prayer is to direct the 2nd Respondent-employer to pay the amount of compensation fixed by the impugned order to the Applicant. This relief cannot be granted at this stage, as grant of the said relief will amount to passing a final order. No case is made out for grant of relief, which is prayed in this Application. The Application is rejected.

2. The 1st Respondent is permitted to withdraw the sum of Rs.7642/- deposited by the Applicant in this Court subject to filing an undertaking to bring back the amount with appropriate rate of interest in case the Applicant succeeds in this Appeal.

Judge.